SINGLE BENCH

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, C.G.

WRIT PETITION NO....3159...../2005

(Petition under article 226/227 of the Constitution of India)

PETITIONER : Upendra Prasad Dani
S/o Late Shri Shankar Prasad Dani
aged about-73 years, R/o Takia Para,Durg
Tah. & Distt.-Durg (C.G.)

VERSUS

RESPONDENTS :
1. Municipal Corporation, Durg (C.G.)
2. Commissioner,
Municipal Corporation, Durg (C.G.)
3. State of Chhattisgarh, Through Secreatary, Nagriya Prashashan & paryawaran Ministry Raipur:

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT OF CERTIORARI AND DIRECTIONS

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

63

आदेश पत्रक

मामला क्रमांक WP.3159/ **सन्** 2005

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

22-7-2005

Mr. Jitendra Gupta, counsel for the petitioner.

Mr. Sandeep Dubey, Govt. Advocate for the State/respondent No.3.

Heard both the counsel.

By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner has questioned the legality, propriety and correctness of the order dated 8-5-2001 passed by the Commissioner, Municipal Corporation, Durg, whereby the petitioner was directed to deposit the premium and land rent of Rs.34,935/-, and also the final notice dated 20-7-2004 (Annexure P-21), whereby the petitioner has been directed to deposit the premium and land rent.

Learned counsel for the petitioner submits that the petitioner has already preferred an appeal against this order before the Appeal Committee of the respondent Corporation, that is still pending and not being decided.

In view of the fact that the petitioner has already filed appeal before the Appeal Committee, this writ petition on this ground is not maintainable.

The main grievance of the petitioner is that the said Committee is not deciding the appeal preferred by him.

Therefore, the appropriate Committee of the Municipal Corporation, Durg, constituted for the purpose shall decide the objections/appeal preferred by the petitioner within a period of three months from the date

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.3159/ **सन्** **200** 5

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	of receipt of a copy of this order, and till the said appeal is decided, the respondents should not force the petitioner to deposit the amount. With the above direction, the petition stands disposed of. In view of this order, M.(W.)P.No.2651/2005 and I.A.No.6182/2005 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.Bhadoo Judge	